CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board
Division of Drinking Water

August 14, 2015

System No. 4600017

Certified Mail/Return Receipt
No. 7012 3460 0003 1113 1496

Larry Ostrom, Manager
R.R. Lewis Small Water Company
4500 E. Fremont Street
Stockton, CA 95215

TRANSMITTAL OF COMPLIANCE ORDER NO. 01-02-15R-007

Dear Mr. Ostrom,

The State Water Resources Control Board (Water Board), Division of Drinking Water, has issued the R.R. Lewis Small Water Company a compliance order, which is attached. This compliance order supersedes Compliance Order No. 01-02-15R-003.

If you have any questions regarding this matter, please call staff engineer Steve Watson at (530) 224-4828 or me at (530) 224-4800.

Sincerely,

Michael J. McNamara, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

cc: Bruce Burton, Assistant Deputy Director
Northern California Drinking Water Field Operations
Richard L. Hinrichs, Chief, Northern California Section
Rami Kahlon, California Public Utilities Commission

Enclosure: Compliance Order No. 01-02-15R-007

sww \ 4600017 RR Lewis \ File: Enforcement

STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF DRINKING WATER

TO: R.R. Lewis Small Water Company
4500 E. Fremont Street
Stockton, CA 95215

Attn: Larry Ostrom, Manager

COMPLIANCE ORDER NO. 01-02-15R-007

FOR

VIOLATION OF CALIFORNIA CODE OF REGULATIONS,

TITLE 22, SECTION 64426.1(b) – WATER SYSTEM NO. 4600017

Issued on August 14, 2015

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues this compliance order (hereinafter "Order") pursuant to Section 116655 of the California Health and Safety code (hereinafter "CHSC") to R.R. Lewis Small Water Company (hereinafter "Company") for violation of CHSC Section 116555(a)(1) and Title 22, California Code of Regulations (hereinafter "CCR"), Section 64426.1(b), during the month of April 2015.

APPLICABLE AUTHORITIES

CHSC, Section 116655 states in relevant part:

(a)Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

(1) Directing compliance forthwith.

(2) Directing compliance in accordance with a time schedule set by the department.

(3) Directing that appropriate preventive action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

(1) That the existing plant, works, or system be repaired, altered, or added to.

(2) That purification or treatment works be installed.

(3) That the source of the water supply be changed.

(4) That no additional service connection be made to the system.

(5) That the water supply, the plant, or the system be monitored.

(6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

CHSC, Section 116555(a)(1) states in relevant part:

(a) Any person who owns a public water system shall ensure that the system does all of the following:

(1) Complies with primary and secondary drinking water standards.

California Code of Regulations, Title 22, Section 64426.1, subsection (b) provides, in relevant part:

(b) A public water system is in violation of the total coliform MCL [maximum contaminant level] when any of the following occurs:

(1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or

(2) For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or

(3) Any repeat sample is fecal coliform-positive or E. coli-positive; or

(4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.

STATEMENT OF FACTS

The Company operates a community water system which serves a population of approximately 324 people through 123 service connections. The water system includes two gravity springs, known as Anderson Spring and Wixson Spring. The Anderson Spring water supply system includes five raw water storage reservoirs and a continuous sodium hypochlorite disinfection treatment system. The Wixson Spring water supply system includes one storage reservoir known as the Wixson Tank, and delivers untreated water to the distribution system. The distribution system contains four pressure zones. Water from the Anderson Spring water supply system can serve the entire distribution system. Water from the Wixson Spring water supply system can serve one of the pressure zones in the distribution system and part of a second zone. The Company operates under a Water Supply Permit No. 01-02-93(P)46023, issued on December 31, 1993.

The Wixson Spring is an abandoned mine shaft. The mineshaft extends into the mountain approximately 15-feet where the shaft is sealed with a cinder block wall. A water pipe extends through the wall, and serves as an intake for the water from the spring into the water system. The wall has a hinged wooden door that provides access to the intake. The door is equipped with a lock and a screened opening to allow excess water to exit the mine shaft. Beyond the sealed wall the shaft is somewhat collapsed, but proceeds approximately 15-feet and then ends. Water flows out of the rocks at the end of the shaft.

While reasonable safeguards are in place to protect the Wixson spring from sanitary hazards, even properly constructed springs can become vulnerable to total coliform bacteria contamination and surface water influence due to environmental effects, such as burrowing animals, vegetation growth, and landslides. Turbidity monitoring of the water from the spring is one way to determine if surface water is possibly influencing the spring. Due to repeated total coliform being present in the water from Wixson Spring, the Division directed the Company to collect turbidity samples during the years 2002 through 2004. During that time, no direct connection was made between precipitation events and turbidity levels, indicating no direct influence of surface water on the spring. Due to the repeated presence of total coliform bacteria in the water from the spring since that time, and the most recent presence of E.coli bacteria in the spring during April 2015, as described below, the influence of surface water on Wixson Spring needs to be reevaluated.

On April 6, 2015, five routine bacteriological samples were collected from the following sample site locations: 2A, 4A, 5A, 6W, and 7W. The samples from 2A, 4A, and 5A, were all absent of total coliform bacteria. These sample sites represent water from the Anderson Spring water supply system. Samples from sites 6W and 7W were found to show the presence of total coliform bacteria. Both of these sample sites were being served water from

the Wixson Spring water supply system. These sample results were reported by Cranmer Laboratory on April 7, 2015.

The Company collected eight repeat bacteriological samples on April 9, 2015, with the following results reported by Cranmer Laboratory on April 10, 2015:

Time	Location	Description	Designation	Total Coliform Result	E.coli Result
08:40	6W	Original Positive	Repeat	Absent	Absent
08:30	522 Brady	near 6W	Repeat	Absent	Absent
08:34	530 Brady	near 6W	Repeat	1.0 MPN	Absent
08:55	8W	Wixson Tank	Repeat	5.3 MPN	Absent
08:46	7W	Original Positive	Repeat	1.0 MPN	Absent
08:56	8W	Wixson Tank	Repeat	1.0 MPN	Absent
09:02	9W	Wixson Spring	Repeat	1.0 MPN	1.0 MPN
09:16	117 Wild Plum	near 7W	Repeat	1.0 MPN	Absent

MPN = Most Probable Number

Due to the significant rise in bacterial count, on April 10, 2015, the Division directed the Company to issue a Boil Water Advisory to its customers instructing them to boil their water or use bottled water for domestic purposes. On the same day, the Company reportedly issued this advisory. Since the contamination appeared to be originating from the Wixson Spring, the Company also immediately discontinued its use and began serving the entire distribution system with water from the Anderson Spring, which is continuously disinfected with sodium hypochlorite.

Between April 11, 2015, and April 12, 2015, the company reportedly flushed the distribution system with disinfected water from the Anderson Spring. On April 13, 2015, the Company collected six additional samples in order to determine if the contamination had been eliminated. The results reported on April 14, 2015, are as follows:

Time	Location	Description	Cl Residual	Total Coliform Result	E.coli Result
10:33	6A	Original Positive	0.61 ppm	Absent	Absent
10:48	530 Brady	near 6A	0.33 ppm	Absent	Absent
11:04	522 Brady	near 6A	0.35 ppm	Absent	Absent
10:01	7A	Original Positive	0.35 ppm	Absent	Absent
09:43	117 Wild Plum	near 7A	0.42 ppm	Absent	Absent
09:29	215 Wild Plum Rdg.	near 7A	0.29 ppm	Absent	Absent

ppm = parts per million free chlorine residual

On April 14, 2015, the Division notified the Company that based on these results the Boil Water Advisory issued to their customers could be cancelled. Reportedly, the Company cancelled the Boil Water Advisory on April 15, 2015.

In addition to this contamination event during April 2015, Division records show that the water from the Wixson Spring supply system has been contaminated with total coliform bacteria on six other occasions over the past ten years. These events have resulted in the Company being in violation of the total coliform MCL on four separate occasions during this time period, including a violation associated with the presence of E.coli bacteria in the Wixson Spring supply system in August of 2008.

On May 8, 2015, Compliance Order No. 01-02-15R-003 was issued to the Company which included seven directives. Directive 2 required the Company to complete and return a

Certification of Completion of Public Notification by May 15, 2015. This directive was completed by the Company on May 18, 2015.

Directive 3 of Compliance Order No. 01-02-15R-003 required the Company to submit for Division approval, on or by July 1, 2015, a Corrective Action Plan identifying improvements to the water system designed to continuously and reliably disinfect the water from the Wixson Spring water supply system in order to ensure compliance with the primary standard for total coliform bacteria at all times. The plan was to include a time schedule for completion of the improvements. On June 30, 2015, the Division received a letter from the Company which met the deadline of this directive. The Division notified the Company by way of certified letter on July 15, 2015, that Directive 3 had been completed.

DETERMINATIONS

Based on the above Statement of Facts, the Division has determined that Wixson Spring water supply system is susceptible to total coliform bacteria contamination and may be vulnerable to the direct influence of surface water.

DIRECTIVES

Pursuant to Section 116655, Article 9, Chapter 4, Part 12, Division 104 of the CHSC, the Division and its Director hereby orders and directs the Company:

1. Comply with Section 64426.1, Title 22, of the CCR in all future monitoring periods.

2. On or before **November 1, 2015**, the Company shall provide continuous, reliable chlorination of the Wixson Spring water supply.

3. Until compliance with Directive 2 is achieved, the Company shall submit a monthly progress report by the tenth day of each month, describing the activities performed to complete Directive 2.

4. Beginning **September 1, 2015**, on each and every Monday the Company shall collect and analyze turbidity samples from the Wixson Spring at Sample Site 9W, which is located prior to the Wixson Tank, and analyze for turbidity. This sampling shall continue until June 1, 2016, or otherwise instructed by the Division. The Company shall use Attachment A, "Wixson Spring Turbidity Testing Report," to record and report these measurements to the Division by the 10th day of each month. The report shall include the month, year, turbidimeter type/model, and last calibration date. The following information must be completed for each turbidity measurement: day, time, location, turbidity, collected/analyzed by, and weather conditions. The Company shall also record all precipitation events during the month, recording daily precipitation amounts or approximations such as "light," "moderate," and "heavy," using Attachment A.

5. Prior to **June 1, 2016**, the Company shall collect at least two samples from the Wixson Spring (sample site 9W or 10W) to be tested according to the Microscopic Particulate Analysis (MPA) test method for determining groundwater under the direct influence of surface water. One sample shall be collected during an extended period of little or no rainfall and another sample shall be collected during heavy rainfall or snow melt. The Company must also measure the turbidity of the water from the Wixson Spring immediately before collecting the MPA samples. Along with the analysis results, the Company shall also submit a written description of the daily weather conditions that occurred 7 days prior to the sampling event, and during the sampling event. The MPA sample results shall be submitted to the Division within 10 days of the Company receiving the results from the laboratory.

6. Prior to **August 28, 2015**, the Company shall contact the Division to schedule an office hearing between the Division and the Company in order to discuss the Company's progress in compliance with the directives of this Order.

All submittals required by this Order shall be submitted to the Division at the following address:

Michael J. McNamara, P. E.
Lassen District Engineer
Division of Drinking Water
State Water Resources Control Board
364 Knollcrest Drive, Suite 101
Redding, CA 96002

As used in the Order, the date of issuance shall be the date of this Order; and the date of service shall be the date of service of this Order, personal or by certified mail, on the Company.

This Order supersedes and replaces Compliance Order No. 01-02-15R-003 issued to the Company on May 8, 2015.

The Division reserves the right to make such modifications to this Order and/or to issue such further order(s) as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Order and shall be deemed effective upon issuance.

Nothing in this Order relieves the Company of its obligation to meet the requirements of the California Safe Drinking Water Act (SDWA), or any regulation, standard, or permit issued thereunder.

The State of California shall not be liable for any injuries or damages to persons or property resulting from acts or omissions by the Company, its employees, agents, or contractors in carrying out activities pursuant to this Order, nor shall the State of California be held as a party to any contract entered into by the Company or its agents in carrying out activities pursuant to this Order.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Board to: issue a citation with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Board. The Board does not waive its right to take any further or additional enforcement action(s) against the Company.

The Company's failure to comply with any directive set forth in the Order by the time prescribed herein may result in further administrative penalties in the amount of $1,000 per

day per violation, pursuant to CHSC, Section 116650, and/or civil penalties in the amount of up to $25,000 per day per violation pursuant to CHSC, Section 116725.

PARTIES BOUND

This Order shall apply to and be binding upon the Company, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Order are severable, and the Company shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.

8/14/2015

Date

Richard L. Hinrichs, P.E., Chief
Northern California Section
Division of Drinking Water
State Water Resources Control Board

Attachment A: Wixson Spring Turbidity Testing Report

Certified Mail No. 7012 3460 0003 1113 1496

Attachment A

Wixson Spring Turbidity Testing Report
RR Lewis SWC, PWS460017

Month:_____ Turbidimeter type/model:_____

Year:_____ Last Calibration:_____

Day	Time	Location	Turbidity (NTU)	Collected /Analyzed by	Weather Conditions
1					
2					
3					
4					
5					
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